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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/988,251	11/19/2001	Mitsuru Nakajima	1506.1014	8391

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STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER

GODDARD, BRIAN D

ART UNIT	PAPER NUMBER
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2171

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DATE MAILED: 02/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/988,251

Applicant(s)

NAKAJIMA ET AL.

Examiner

Brian Goddard

Art Unit

2171

-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The following title is suggested: Information search system, method and program for user specification of result ranking calculation.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,873,080 to Coden et al.

Referring to claim 1, Coden discloses an information search system as claimed. See Figures 1-7 and the corresponding portions of Coden's specification for this disclosure. Coden teaches "an information search system [See Fig. 1] comprising:

a searching unit [Search Engines] 162-166] which searches, when a desire-for-search party [user 125] specifies a search condition [query (See Figs. 4 & 6), for a piece of search target information [multimedia information 151] satisfying the search condition from plural pieces of search target information [in database 150];

a calculating unit [Combiner 170] which calculates [See step 740] a fitting value [rank value] indicating how much the search target information satisfies the search condition about the respective pieces of search target information searched by said searching unit in accordance with a fitting value calculation procedure [ranking algorithm] specified by the desire-for-search party [See column 12, lines 26-35 and column 9, line 54 - column 10, line 23]; and

a result-of-search presenting unit [See column 10, lines 57-59] which presents, to the desire-for-search party, at least a part of information that forms each piece of search target information searched by said searching unit [result list 380 (See step 760)] together with the fitting value [See column 10, lines 20-59 and column 12, lines 26-46] calculated by said calculating unit with respect to that piece of search target information" as claimed.

Referring to claim 2, Coden discloses the information search system as claimed. See Figures 1-7 and the corresponding portions of Coden's specification for the details of this disclosure. Coden teaches "an information search system [See Fig. 1] comprising: a calculating unit [See claim 1 above]... ; an extracting unit [application of result viewing object (See step 720)] for extracting the search target information of which the fitting value calculated by said calculating unit satisfies a predetermined

condition [condition(s) set by the user (See disclosure of combiner 170)], out of the plural pieces of search target information; and a result-of-search presenting unit [See claim 1 above]..." as claimed.

Referring to claim 3, Coden discloses the information search system as claimed. See Figures 1-7 and the corresponding portions of Coden's specification for this disclosure. Coden teaches "an information search system [See Fig. 1] comprising:

a defining information storage module [EUIS 120] stored with search condition defining information [query specifications] for defining a search condition [query] with respect to each of a plurality of search permission parties [users 125], and fitting value calculation procedure defining information [rank algorithm definition] for defining a procedure for calculating a fitting value [rank value] indicating how much the information searched under the search condition defined by the search condition defining information satisfies the search condition [See above];

a searching unit [See claim 1 above]... ;

a calculating unit [See claim 1 above]... ; and

a result-of-search presenting unit ;[See claim 1 above]..." as claimed.

Claim 4 is rejected on the same basis as claim 2, in light of the basis for claim 3 above. See the discussions regarding claims 1-3 for the details of this disclosure. In particular, Coden teaches the information search system according to claim 3, as above, further comprising: a second calculating unit [See extracting unit in claim 2 above]... as claimed.

Referring to claim 5, Coden discloses the information search system as claimed. See Figures 1-7 and the corresponding portions of Coden's specification for this disclosure. Coden teaches the information search system according to claim 3, as above, wherein the plural pieces of search target information contain first type search target information [first media type (e.g. text)] permitted to be browsed [not restricted out by the result viewing object 350] by the search permission party, and second type search target information [second media type (e.g. image)] inhibited to be browsed [restricted out by the result viewing object 350 (See columns 9-12)] by the search permission party,

said searching unit searches for the search target information from the first type search target information contained in the plural pieces of search target information, and said information search system further comprises... [See claim 4 above].

Claims 6 and 8 are rejected on the same basis as claim 1. See the discussion regarding claim 1 above for the details of this disclosure.

Claims 7 and 9 are rejected on the same basis as claim 2. See the discussion regarding claim 2 above for the details of this disclosure.

Claim 10 is rejected on the same basis as claim 3. See the discussion regarding claim 3 above for the details of this disclosure.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent Nos. 6,434,556 to Levin et al.; 6,311,178 to Bi et al.; 6,006,218 to Breese et al.; 6,014,664 to Fagin et al.; and 5,946,678 to Aalbersberg are each considered particularly pertinent to applicants' claimed invention.

The remaining prior art of record is considered pertinent to applicants' disclosure, and/or portions of applicants' claimed invention.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Goddard whose telephone number is 703-305-7821. The examiner can normally be reached on M-F, 9 AM - 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

bdg
20 February 2004


SAFET METJAHIC
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100